

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	
vs.)	Case No. 10-0094-02-CR-W-FJG
Gilberto Baldenegro-Valdez,)	
)	
Defendant.)	

ORDER

Pending before the Court is defendant's motion to suppress evidence and statements (Doc. #29), filed July 18, 2010; the government's response to defendant's motion (Doc. #35), filed July 28, 2010.

On August 25, 2010, United States Magistrate Judge John T. Maughmer held an evidentiary hearing on the pending motion to suppress evidence and statements. Thereafter, on November 10, 2010, Judge Maughmer entered a report and recommendation (Doc. #53) which recommended denial of the above-mentioned motion. Defendant's objections to the Magistrate's report and recommendation (Doc. #57) were filed on December 9, 2010.

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the Magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to suppress evidence and statements (Doc. #29), filed July 18, 2010, must be denied.

Accordingly, it is

ORDERED that the Magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress evidence and statements (Doc. #29), filed July 18, 2010, is denied.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 12/28/10